

Chapter 8.04
GARBAGE AND TRASH COLLECTION AND DISPOSAL

Sections:

I. General Provisions

8.04.010 Definitions.

8.04.020 Direction and supervision by street and alley commissioner.

8.04.030 Accumulation prohibited—Disposal.

8.04.040 Unlawful deposits of garbage or waste matter described.

8.04.050 Offensive substances prohibited.

8.04.060 Dumping permitted only where authorized.

II. Collection and Disposal

8.04.070 General requirements.

8.04.080 Garbage container requirements.

8.04.090 Preparation and placement of garbage and refuse.

8.04.100 Alley collection.

8.04.110 Collected refuse becomes city property.

8.04.120 Occupant responsibility for refuse containers.

8.04.130 Explosive, inflammable or dangerous materials prohibited.

8.04.140 Tampering with containers or contents is a misdemeanor.

UI. Rates and Charges

8.04.150 Designated.

8.04.160 Billing and collection procedure.

8.04.170 Effective date.

8.04.180 Right of city to change rates and conditions.

IV. Penalty for Violation

8.04.190 Designated.

I. General Provisions

8.04.010 Definitions. For the purpose of this chapter, the following terms, phrases and words have the following meanings:

A. “Dwelling unit” means a building or portio designed exclusively for use and occupancy by one family, but to exclude an apartment complex having three or more dwelling units.

B. “Family” means any number of individuals living together as a single housekeeping unit, but excluding boardinghouses, fraternities, sororities, residential clubs and homes of an institutional nature.

C. Apartments having three or more dwelling units will be required to provide a garbage dumpster on said premises, and may be excluded from city garbage collection if a written agreement for private collection is presented to the city. (Ord. 87-17 § 1, 1987; Ord. 82-20 § 1, 1982; Ord. 442A § 1, 1972; prior code § 15.101).

8.04.020 Direction and supervision by street and alley commissioner. All matters relating to or affecting the collection, removal or disposal of garbage, household refuse, ashes or waste material is specifically placed under the direction and supervision of the street and alley commissioner of the city.. (Ord. 2005-18, § 1, 2005; Ord. 81-18 § 1, 1980).

8.04.030 Accumulation prohibited—Disposal. The owner, occupant, or lessee of any premises within the city shall remove from the premises and dispose of all garbage, dead rodents, animals or fowls, ashes, tin cans, manure, and all refuse and rubbish of every description whatsoever and shall keep the premises at all times clear of any accumulation of the same except as hereinafter provided. It shall be the duty of every owner or his agent or occupant of any house, building or apartment in the city to deposit all garbage in watertight containers or to secure in such other manner as is provided by this code; provided that, and for so long as, the city shall continue to provide for the collection of garbage, trash and other deposits, in addition to the regular garbage collection, the owner, occupant or lessee of any premises in the city may deposit and collect such refuse for alley collection, provided that he meets and complies with the ordinances otherwise provided, including but not limited to those set forth in this chapter under the titles “Garbage and Refuse Collection” and “Alley Collection.” (Ord. 2005-18, § 2, 2005; Ord. 81-18 § 2, 1980).

8.04.040 Unlawful deposits of garbage or waste matter described. It is unlawful for any person, firm or corporation to cast, place, sweep or deposit within the limits of the city any garbage, grass, or other waste matter or rubbish in such a manner that it may be carried or deposited by the action of the wind, rain or snow into or upon street, sidewalk, alley, sewer, parkway or other public place, or unto any occupied or unoccupied premises within the limits of the city. (Ord. 2005-18, § 3, 2005; Ord. 81-18 § 3, 1980).

8.04.050 Offensive substances prohibited. No pile or deposit of manure, garbage, grass, miscellaneous waste, or refuse of any kind whatsoever, nor accumulation of any offensive or nauseous substance shall be made within the limits of the city, nor shall any person, firm or corporation unload, discharge or put upon the right-of-way of any railroad, street, or public place within the city any manure, garbage, grass, miscellaneous waste, refuse or offensive or nauseous substance, nor shall any vehicles loaded with or having upon them any such substance or substances, be allowed to remain or stand or park on or along any railroad, street, alley or any other public place within the limits of the city. (Ord. 2005-18, § 4, 2005; Ord. 81-18 § 4, 1980).

8.04.060 Dumping permitted only where authorized. No garbage or waste material shall be dumped within the city limits, but must be hauled to a place outside the city limits at a distance which will not create a nuisance to any residents within the city limits, and deposited in a place authorized under and by the provisions of the statutes of the State of Illinois. (Ord. 2005-18, § 5, 2005; Ord. 81-18 § 5, 1980).

II. Collection and Disposal

8.04.070 General requirements. Residents and any household using the water of the city will be charged for the collection of garbage and will meet the standards and requirements set forth in this article. (Ord. 87-18 § 1, 1987: prior code § 15.102).

8.04.080 Garbage container requirements. All domicile waste and garbage shall be placed in watertight containers having a capacity of not more than 32 gallons, except for such items which are too large for such containers may be placed for collection as hereinafter provided. All containers shall be constructed of material as permitted under the existing laws of the state, but in all cases shall be suitable for handling and lifting by collectors in all weather, and shall be free of ragged or sharp edges or any other defect liable to hamper or injure a collector. Utilization of a container with a cover shall require that all covers shall be snug fitting and shall be kept in place at all times except when the containers are being cleaned, filled or emptied. The street and alley commissioner may require that the refuse containers shall bear the house or apartment number of the premises. (Ord. 91-2, 1990: Prior code § 15.103).

8.04.090 Preparation and placement of garbage and refuse. All domicile waste and garbage shall be thoroughly and completely drained of all free liquid, wrapped securely in paper and placed in a proper container. Items too large for the containers provided for in Section 8.04.080, such as discarded furniture shall be neatly and compactly bundled not over four feet in length and not over two feet in diameter or in such other dimensions as the street and alley commissioner may provide for. Containers and other material properly prepared for collection shall be placed at designated collection points on the day of collection at such time as may be provided by the street and alley commissioner. Where the designated collection point is at the curb or other location not on an alley, the containers and other material shall not be placed out for collection prior to twelve hours before the designated day of collection and containers shall be removed within twelve hours after collection is made. The days and times of collection shall be determined by the street and alley commissioner. Commercial refuse shall be collected at such times, in such manner and upon such terms and conditions as may hereafter, from time to time, be provided for by the street and alley commissioner. No person may knowingly put landscape waste into a container intended for collection or disposal with any other type of waste. All landscape waste must be separated from all other matters without exception. Landscape waste means all accumulations of grass or shrubbery cuttings, leaves, tree limbs or other materials accumulated as the result of the care of lawns, shrubbery, vines and trees. Landscape waste shall be disposed of only by separate collection or by composting on the sight. Separate collection of landscape waste shall be provided at the city's discretion and upon collection of said landscape waste shall be disposed of as required by the statutes of the state. (Ord. 91-1, 1990: Prior code § 15.104).

8.04.100 Alley collection. Where alley collections are made, the occupant shall

place the refuse containers for the premises for collection at a designated point within five feet of the alley line. If there is no alley or if the same is impassable for vehicles, then the street and alley commissioner may designate the nearest convenient place where the refuse containers for such premises shall be placed for collection. (Prior code § 15.105).

8.04.110 Collected refuse becomes city property. All refuse collected by the city shall become the property of the city upon collection. (Prior code § 15.106).

8.04.120 Occupant responsibility for refuse containers. The duty and responsibility of keeping refuse containers covered in a clean and sanitary condition, and so placed as not to create a nuisance or hazard to any citizen shall rest upon the occupant of the premises. (Prior code § 15.108).

8.04.130 Explosive, inflammable or dangerous materials prohibited. It is unlawful to place in any refuse container, as provided for in this chapter, any explosive, highly inflammable or dangerous material such as gunpowder, substances saturated with inflammable petroleum products, poisons, acids, caustic, infected material from sickrooms, radioactive materials or the like. (Prior code § 15.107).

8.04.140 Tampering with containers or contents is a misdemeanor. Any person, other than the owner, or a person authorized by the owner, or a properly designated employee of the city who moves, removes, defaces, damages or in any way tampers with any refuse container, or the contents thereof, shall be guilty of a misdemeanor. (Prior code § 15.109).

III. Rates and Charges

8.04.150 Designated. Each dwelling unit in Hoopeston which pays for city water shall be charged for the collection of garbage at the rate of eight dollars per month per dwelling unit. If the water meter is supplying more than one dwelling unit, the collection fee will be multiplied by the number of dwelling units. (Ord. 2002-6 § 1, 2002: Ord. 87-20 § 1, 1987: Ord. 82-20 § 2, 1982: Ord. 442A § 2, 1972)

8.04.160 Billing and collection procedure. The garbage collection charge shall be billed with and collected with the present rates and charges for the service supplied by the water and sewer department of the city, as such billing and collections are now in effect or as may hereafter be altered. If any billing, as provided in this chapter, remains unpaid after the due date in which statement is rendered to the customer, a penalty of 1.5 percent of

the amount of that portion of the bill shall accrue as an additional charge for the service rendered. (Ord. 87-21 § 1, 1987; Ord. 82-20 § 3, 1982; Ord. 442A § 3, 1972).

8.04.170 Effective date. The charge for the collection of garbage shall be effective as of February 1, 1987, for bills due and payable for February, 1 987, and thereafter. (Ord. 87-22 § 1, 1987; Ord. 82-20 § 4, 1982; Ord. 442A § 4, 1972).

8.04.180 Right of city to change rates and conditions. The city reserves the right to make such reasonable changes in the charges and in the conditions established in this chapter and to establish further rules and regulations as from time to time may be found expeditious and necessary, (Ord. 82-20 § 5, 1982; Ord. 442A § 5, 1972).

IV. Penalty for Violation

8.04.190 Designated. Any person, firm, partnership or corporation who violates any provision or provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars and each day's violation shall constitute a separate offense. (Ord. 81-31 § 1, 1980; prior code § 15.110).